

# Notice of Allowability

Application No.

10/768,364

Examiner

Kimberly K. McClelland

Applicant(s)

CURRO ET AL.

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 10/11/06.
2. ☒ The allowed claim(s) is/are 9-16.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Jay Krebs on December 11<sup>th</sup>, 2006.

The application has been amended as follows:

**Replace claim 9:**

Claim 9 (currently amended): A method for making an electrical cable having a plurality of discrete spaced, parallel flat conductors comprising the steps of:

- (a) providing a first and second web of dielectric materials;
- (b) providing a third integral sheet of conductive material;
- (c) bonding said first and second web materials to said third integral sheet of conductive material in a face-to-face layered relationship thereby forming a bonded laminate; and
- (d) incrementally stretching said bonded laminate ~~to separate for tensile~~ separation of the integral sheet of conductive material into a the plurality of discrete spaced, parallel flat conductors between stretched regions of the webs.

**Replace claim 10**

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Claim 10 (currently amended): The method of claim 9, wherein said ~~conductor~~ third integral sheet comprises a metal sheet.

**Replace claim 11**

Claim 11 (currently amended): The method of claim 9, wherein said ~~conductor~~ third integral sheet comprises a metal foil.

**Replace the CROSS REFERENCE TO RELATED APPLICATIONS**

This application is a divisional of and claims priority to US Patent Application No. 09/886,894 (Case 8590), filed June 21, 2001, now U.S. Patent No. 6,730,662, which is a continuation-in-part and claims priority to US Patent Application No. 10/149,878 (Case 7897R2) filed December 20, 2000 in the names of Curro et al., now U.S. Patent No. 7,037,567 and was published as US Publication Number 2003/0028165A1 on February 6, 2003; and which is a continuation-in-part and claims priority to prior application Serial No. 09/584676 (Case 7897R), filed May 31, 2000 in the names of Curro et al., now abandoned; and a continuation-in-part and claims priority to prior application Serial No. 09/467938 (Case 7897), filed December 21, 1999 in the names of Curro et al., now U.S. Patent No. 6,884,494.

2. The following is an examiner's statement of reasons for allowance:
3. The prior art of record neither shows nor suggests the step of incrementally stretching said bonded laminate to tensile separate the integral sheet of conductive

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material into the plurality of discrete spaced, parallel flat conductors between stretched regions of the webs. The closest prior art of record, U.S. Patent No. 6,026,563 to Schilson discloses using a plurality of wires to form the conductive layer. U.S. Patent No. 6,316,104 to Kumakura discloses forming the conductive layer from foil (column 4, lines 62-67). However, Kumakura discloses cutting the conductor layer, while it is adhered to the dielectric materials. There is no suggestion or motivation to incrementally stretch the integral sheet for tensile separation and form a plurality of discrete spaced parallel flat conductors.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly K. McClelland whose telephone number is (571) 272-2372. The examiner can normally be reached on 8:00 a.m.-5 p.m. Mon-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris A. Fiorilla can be reached on (571)272-1187. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*Kim McCalland*

KKM

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